

Excerpt from

**Network Rail
Health and Safety Management System.
Version 3.06
March 2016**

4.1.8 Consultation and Communication

4.1.8.1 Network Rail value the input that its employees make to the development of health, safety and welfare policies and local working procedures. In support of this, a health, safety and welfare at work procedure has been agreed with recognised Trade Unions, namely the National Union of Rail, Maritime and Transport Workers (RMT), the Transport Salaried Staffs' Association (TSSA) and Unite/ Confederation of Shipbuilding and Engineering (Unite/CSEU) Unions .

4.1.8.2 The purpose of this procedure is to provide a procedural framework for dealing with matters related to health, safety and welfare at work in accordance with the current: Health and Safety at Work Act, and the Safety Representatives and Safety Committee Regulations, , as amended by the current Management of Health and Safety at Work Regulations.

4.1.8.3 The parties to this procedure recognise the paramount importance of health and safety at work and the positive contribution that health and safety representatives make. Improvements in health and safety performance depend on full co-operation and commitment from all employees and managers. Health and safety representatives and safety committee/council structure have vital roles to play in developing this commitment at all levels. The recognised Trade Unions nominate Network Rail employees to act as local Health & Safety Representatives with specific health and safety functions. They have direct access to local management and the intention is to resolve as many health and safety issues as possible at the lowest level consistent with authority and accountability, and the procedure requires that effort is to be taken to provide that matters raised are resolved at the appropriate level.

4.1.8.4 To support the introduction of this procedure and to assist in improving our safety culture, Network Rail has agreed with the trade unions that they appoint a number of Lead Union Health & Safety Representatives whose role is to support the introduction of this procedure across the whole company and work with Network Rail in improving the company's health and safety culture.

4.1.8.5 A Network Rail National Health, Safety and Welfare Council (the Council) has been established to consider company wide policies and principles related to health, safety and welfare at work covering the totality of Network Rail's business and employees (this is separate to the role of the Council associated with General Collective Bargaining as defined in the General Collective Bargaining Procedure Agreement and the Management Grades Collective Bargaining Procedure Agreement).

4.1.8.6 The purpose of the Council is to:

- i. discuss, develop and implement the health, safety and welfare programmes and safety policies related to the totality of Network Rail's business and its employees
- ii. monitor health, safety and welfare strategies and standards with the objective of promoting health, safety and welfare through management and employees' co-operation

- iii. review and discuss the general safety performance of the business
- iv. review and discuss emerging trends in the context of the health of employees
- v. consider important matters of principle
- vi. consider the issues which remain unresolved and have been referred to the Secretary.

4.1.8.7 The Chair and Secretary of the Council are appointed by Network Rail. At Council meetings, the company's side comprises not more than ten representatives appointed by Network Rail. The employees' side comprises not more than nine representatives appointed by the trade unions on the basis of a maximum of 4 x RMT, 3 x TSSA and 2 x Unite/CSEU. In addition, each trade union may appoint one official employed by the union and one employee of the trade union who is a Health and Safety specialist.

4.1.8.8 Meetings of the Council are held periodically and not less than four times a year. Further meetings take place as necessary and within twenty eight days of a request being made either by the company's side or by a trade union on the employees' side.

4.1.8.9 Each Network Rail Area or Area equivalent has established a health, safety and welfare committee, to deal with matters with Area wide or functional equivalent implications or which have been referred to it because of differences at local level. In addition, there are two Headquarters functions committees.

4.1.8.10 Each Area and equivalent Committee comprises of:

- i. the appropriate senior managers from the Area or function the chair person will normally be the Area Director or equivalent for 'Operations' and Maintenance within the Network operations function).
- ii. health and safety representatives as set out in the appendices to the procedure

4.1.8.11 The purpose of the Committees is to keep under review the effectiveness of measures taken to protect the health and safety at work of employees within its scope, including issues escalated from local level and to promote co-operation between Network Rail and employees in instigating, developing and carrying out such measures.

4.1.8.12 The Committee meets on a frequent basis and in no case less than four times a year. Further meetings take place as necessary and within twenty eight days of a request being made either by Area / functional management or by a trade union party to the agreement.

4.1.8.13 Matters are not normally referred to a higher level. If discussions fail to settle a difference, the procedure is exhausted. However, if after exhausting the local, Area or functional equivalent procedures the representatives legitimately believe that it is not within the remit of the Area Director or functional equivalent manager to resolve the issue, they can refer it to their National Official who, if in agreement with their view, may contact the relevant Employee Relations Specialist to facilitate a meeting with the Route Managing Director or functional equivalent director.

4.1.8.14 Separate to the Area Committees within each function detailed above, a "Route" based Committee meeting, which will normally be chaired by a Route Managing Director, shall be held at least once a year specifically for the purpose of addressing cross functional safety matters that affect employees in both the Operations and Maintenance Committees within the same Route. Further meetings shall take place as necessary and within twenty eight days of a request being made either by Area / functional management or by a trade union party to this Agreement.

4.1.8.15 A trade union appointing a local health and safety representative advises the local manager in writing of the appointment and also when the appointment ceases. The functions of local health and safety representatives are as set out in the current Safety Representatives and Safety Committees Regulations as amended by the current Management of Health and Safety at Work Regulations.

4.1.8.16 The boundaries of the workplace to be covered by health and safety representatives will normally be the Area / function controlled by the local manager within which there will be a health and safety representative(s) for each constituency. Each trade union party to the agreement will normally appoint not more than one health and safety representative from amongst the grades of employees they represent per constituency.

4.1.8.17 Local managers should meet with local health and safety representatives on a frequent basis but not less than four times a year. Meetings are required to be held within seven days of a specific request for a meeting. Where the matter concerns employees controlled by other functional managers or other Areas, the relevant health and safety representative are invited to the discussion. Emergency meetings may be held upon request to discuss matters considered by the health and safety representative(s) concerned to constitute a serious and imminent risk to health and safety at work.

4.1.8.18 Any matters raised by local health and safety representatives or Trade Unions between normal meetings are reported to the next meeting. If a matter is not resolved at local level it may be referred to the Area or functional committee level and may be so referred by either of the parties concerned. In the event of an urgent health and safety problem not being resolved locally or at Area level, the head office of the trade union may bring it to the attention of the Secretary of the Network Rail Health, Safety and Welfare Council in order that the necessary discussions can be arranged as appropriate. However, to progress an issue in this way would be the exception rather than the norm.

4.1.8.19 The procedure agreement also includes a number of general arrangements for: workplace inspections (both routine and special inspections by local health and safety representatives); the provision of information (statutory provision, information in relation to accidents / ill health / dangerous incidents, health and safety information, timely and efficient communications and access to information); reasonable access to office facilities, time away from normal duties with pay as is necessary to undertake planned inspections, attend meetings, have appropriate involvement with regard to hazard identification, risk assessments, the determination of controls and to discharge their other functions, i.e. undertake consultation, review of health and safety documentation/information, undertake correspondence); attend courses on health and safety at work matters as are agreed to be reasonable by the parties to the agreement (TUC Stages 1 and 2, course equivalent to these as run by the individual Trade Unions, and other courses as may be agreed by the National Council as being relevant) and reimbursement of reasonable expenditure associated with attending such courses.